

JAY RORTY SBN: 135097
Law Offices of Jay Rorty
835 Cedar Street
Santa Cruz, CA 95060
jay@rortylaw.com
Tel: 831-316-0722

Attorney for Defendant Jose Corona-Mata

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,	}	Case No.: CR-12-00833-008LHK
Plaintiff,		DEFENDANT'S SENTENCING MEMORANDUM
vs.		Date: July 30, 2014
Jose Corona-Mata		Time: 9:30 p.m.
Defendant		Dept.: Hon. LUCY H. KOH

Jose Corona-Mata is a low level purchaser and street level seller of methamphetamine who was arrested and charged in this case because he made purchases from the drug trafficking organization that is the target of this Indictment. He fully accepts responsibility for his offenses and submits that the agreed upon sentence of 168 months pursuant to his bidding plea agreement, entered pursuant to F.R.C.P. 11(c)(1)(C) is sufficient, but not greater than necessary to serve the purposes of sentencing as described in 18 U.S.C. 3553(a).

Mr. Corona-Mata is a citizen of Mexico, raised in abject poverty in a small village in Michoacán. He has no formal education and cannot read his native Spanish. He has been identified by the California Department of Corrections as

1 requiring treatment for developmental disability.)(U.S. Probation Pre Sentence
2 Report (hereafter PSR) ¶ 74 and 76.))

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4 Mr. Corona-Mata has attempted to create a life in the United States to no
5 avail. While he has married and has a family, he has been previously deported and
6 returned without permission, leading to his present conviction and proposed
7 consecutive sentence for illegal reentry into the United States. His lack of English
8 and inability to read rendered him ineligible for most employment. (PSR ¶78). As
9 with so many unskilled immigrants he was only able to support his family by
10 participating in the narcotics trade.

11 While the conspiracy in which Mr. Corona-Mata is alleged to have
12 participated involves a huge amount of narcotics, spans a lengthy time period and
13 many sales, he himself is the least significant participant. The PSR details the
14 scope of the conspiracy at length, but only a small portion relates to Mr. Corona-
15 Mata. His alleged relevant conduct consists of participating in two monitored
16 conversations that appear to plan for his purchase of methamphetamine from one
17 of the leaders of the conspiracy, the purchase of an unknown amount of narcotics
18 and the seizure of money and narcotics related items during the search of his home.
19 PSR ¶ suggests that items seized from home relate to the processing of
20 methamphetamine by cooking. The prosecution believes that a portion of a
21 conversation between conspirators in which Mr. Corona-Mata was not a
22 participant, refers to Corona-Mata cooking methamphetamine. Mr. Corona- Mata
23 fully admits his participation in the offense, but denies that the items seized relate
24 to cooking, and maintains that many of the items are common household items, or
25 relate to his wife's photography business.

26 The binding plea agreement of 168 months is an appropriate disposition of
27 the case. The severe sentence is 10 times greater than any sentence Mr. Corona-
28 Mata has previously received. The benefit of this severe sentence to Mr. Corona-

1 Mata is that he will not be subject to the relevant conduct for the entire conspiracy
2 of which he was alleged to be a member. He is being held responsible only for the
3 transactions in which he is alleged to have personally participated and not the
4 conduct of co participants of which he had no knowledge. (PSR ¶¶ 16 and 27.)

5 Mr. Corona-Mata request that this court accept the plea agreement and adopt
6 the recommendation of the Probation Department and sentence him to 168 months
7 in the custody of the Bureau of Prisons with a term is supervised release to follow,
8 should he re enter the United States.

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10 Dated: July 22, 2014

Respectfully submitted,

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12 _____/s/_____
13 Jay Rorty
14 Counsel for Defendant Jose Corona-Mata
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